

14023 U.S. PTO  
041504

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**PATENT**

ATTY DOCKET NO.: 5308-231DV

DATE: April 15, 2004

**UTILITY PATENT APPLICATION TRANSMITTAL LETTER  
AND FEE TRANSMITTAL FORM (37 CFR § 1.53(b))**

22141 U.S. PTO  
10/825647  
041504

Mail Stop PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing under 37 CFR § 1.53(b) is:

- ☐ a patent application  
☐ a Continuation ☒ a Divisional ☐ a Continuation-in-Part (CIP) Application of prior application no.: 10/200,244, filed July 22, 2002, which is a CIP of Application Serial No. 10/057,821, filed January 25, 2002, the disclosures of which are hereby incorporated herein by reference in their entirety.  
☒ and which claims the benefit of Provisional Application Nos. 60/352,941, filed January 30, 2002; 60/307,311, filed July 23, 2001 and 60/307,234, filed July 23, 2001, the disclosures of which are hereby incorporated herein by reference in their entirety.

Inventors: **David B. Slater, Jr.; Bradley E. Williams; Peter S. Andrews**

Entitled: **METHODS OF FABRICATING LIGHT EMITTING DEVICES USING MESA REGIONS AND PASSIVATION LAYERS**

Myers Bigel Sibley & Sajovec, P.A.  
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Customer No. 20792

Enclosed are:

1. ☒ Application Transmittal Letter and Fee Transmittal Form (*A duplicate is enclosed for fee processing*)
2. ☒ 23 pages of Specification (including 20 claims)
3. ☒ 6 sheets of Formal Drawings (35 USC 113)
4. ☒ Oath or Declaration
  - a. ☐ newly executed (*original or copy*)
  - b. ☒ copy from prior application (37 CFR 1.63(d) (*for continuation/divisional*) [Note Box 6 Below])
  - c. ☐ DELETION OF INVENTOR(S) (*Signed statement deleting inventor(s) named in the prior application*)
5. ☐ Application Data Sheet. See 37 CFR 1.76
6. ☒ Incorporation By Reference (*useable if box 4b is checked*)

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

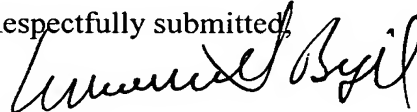
7. ☐ Microfiche Computer Program (*Appendix*)
8. ☐ Assignment papers (*cover sheet(s) and document(s)*)
9. ☐ Applicant claims small entity status. See 37 CFR § 1.27.
10. ☒ Information Disclosure Statement and PTO-1449
11. ☐ Preliminary Amendment (***Please enter all claim amendments prior to calculating the filing fee.***)
12. ☐ English Translation Document
13. ☐ Certified Copy of                      Application No.                      ; Filed
14. ☐ Sequence Listing/ Sequence Listing Diskette
  - a. ☐ computer readable copy
  - b. ☐ paper copy
  - c. ☐ statement in support
15. ☐ An Associate Power of Attorney
16. ☒ Return Receipt Postcard (MPEP 503) (*Should be specifically itemized*)
17. ☐ **Deletion of Inventor(s)** (Signed statement attached deleting inventor(s) name in the prior application. See 37 CFR 1.63(d)(2) and 1.33(b).
18. ☐ Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form.
19. ☒ Other: **Remarks Accompanying Divisional Application**

The fee has been calculated as shown below:

	Column 1 No. Filed	Column 2 No. Extra	Small Entity Rate      Fee	Large Entity Rate      Fee
BASIC FEE			\$385.00	\$ 770.00
TOTAL CLAIMS	20 - 20 =	0	x 09 = \$	x 18 = \$
INDEP CLAIMS	1 - 3 =	0	x 43 = \$	x 86 = \$
<input type="checkbox"/> MULTIPLE Dependent Claims Presented			+ 145 = \$	+ 290 = \$
<i>If the difference in Col. 1 is less than zero, Enter "0" in Col. 2</i>			Total \$	Total \$770.00

- ☒ A check in the amount of **\$770.00** to cover the filing fee is enclosed.
- ☐ A check in the amount of \$                      is enclosed to cover the filing fee, PLUS the Assignment Recordation fee (\$40.00).
- ☐ Please charge my Deposit Account No. 50-0220 in the amount of \$
- ☒ The Commissioner is hereby authorized to credit overpayments or charge the following fees associated with this communication to Deposit Account No. 50-0220:
- a. ☒ Additional filing fees under 37 CFR 1.16 for presentation of extra claims.
  - b. ☒ Additional patent application processing fees under 37 CFR 1.17.

Respectfully submitted,



Mitchell S. Bigel


Registration No. 29,614

**CERTIFICATE OF EXPRESS MAILING**

Express Mail Label No. EV 381441410 US

Date of Deposit: April 15, 2004

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to: Mail Stop PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Susan E. Freedman

Date of Signature: April 15, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: David B. Slater, Jr.; Bradley E. Williams; Peter S. Andrews  
Serial No.: To Be Assigned  
Filed: Concurrently Herewith  
Entitled: METHODS OF FABRICATING LIGHT EMITTING DEVICES  
USING MESA REGIONS AND PASSIVATION LAYERS

April 15, 2004

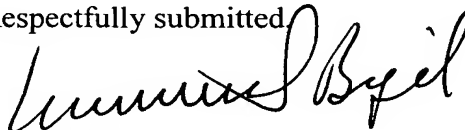
Mail Stop Patent Application  
Commissioner for Patents  
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Alexandria, VA 22313-1450

**REMARKS ACCOMPANYING DIVISIONAL APPLICATION**

Sir:

The present divisional application is being filed for non-elected Claims 59-78 from parent Application Serial No. 10/200,244, which has now been allowed. Claims 59-78 of the parent application have been renumbered herein as Claims 1-20. The title has been changed to reflect the new claim scope. A cross-reference to the parent application also has been added. Favorable examination and allowance of the present application is respectfully requested.

Respectfully submitted



Mitchell S. Bigel  
Registration No. 29,614  
Attorney for Applicants

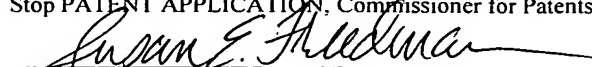
**Customer Number 20792**

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Susan E. Freedman

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